CLASSIFICATION OFFICE DECISION

Title of publication:	3-11.JPG
Other known title(s):	Not stated
OFLC ref:	1000175.000
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	11 March 2010
Date of direction to issue a label:	No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file explicitly depicts an adult man engaging a child in sexual activity and therefore promotes and supports the exploitation of children for sexual purposes and is deemed to be objectionable.

The image is evidence of sexual abuse. Its purpose is to arouse people with a sexual interest in children. Publications such as this encourage viewers to see children as sexually desirable and available for adult sexual gratification. The effect is to strengthen this sexual interest and encourage the sexual exploitation of vulnerable young children.

The classification of this publication interferes with the freedom of expression the New Zealand Bill of Rights Act 1990, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that promote and support the exploitation of children for sexual purposes.